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NVS-200

Missouri City, Texas

January 22, 2005

TEXAS MOTOR VEHICLE COMMISSION
TRAFFIC SAFETY DIVISION

2005 FEB - 2 P 4: 35

EXECUTIVE SECRETARIAT

David Taylor Cadillac/Buick
9120 Southwest Freeway
Houston, Texas 77074

Re: **FORMAL COMPLAINT: Defective Automobile**
VIN # 1GKDS13S942

Dear Sir/Madam:

Pursuant to Section 3.04(h) of the Texas Motor Vehicle Commission Code (Article 4413(36) Vernon's Texas Civil Statutes, which states the following . . . "(h) A retail buyer of a new motor vehicle may make a complaint concerning defects in a new motor vehicle which are covered by the warranty agreement applicable to the vehicle. Such complaint must be made by letter to the dealer, a copy of which shall be sent to the applicable manufacturer or distributor, and must specify the defects in the vehicle which are covered by the warranty. The owner may make further complaint by sending to the Commission a copy of the letter. The Commission may hold a hearing on all unsatisfied complaints to determine whether there has been a violation of the Act."

On October 24, 2003, I purchased a 2004 GMC Envoy, VIN #1GKDS13S942 Model: 2WD 4DR, Color: Onyx Black from Southwest Pontiac-GMC located at 12450 Southwest Freeway, Stafford, Texas 77477. The total price of the vehicle, including taxes, license and service contract were \$36,721.10. The Lienholder for the vehicle is GMAC.

Since the purchase of this vehicle and driving it off the lot of Southwest Pontiac-GMC, below is a history of the defects on the subject vehicle:

- 1) **April 4, 2004: No Crank-No Start. Vehicle Towed**
Date of Service: April 5, 2004
Date Vehicle Returned: April 5, 2004
Diagnosis/Repairs: Elect Test . . . Open Connection Circuit 1737. Yellow Wire repaired Open Connection at Neutral Switch Connector Pin.

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- 2) **October 8, 2004: No Crack - No Start. Vehicle Towed**
Date of Service: October 8, 2004
Diagnosis/Repairs: Elect Test . . . Open Ignition Switch. Replaced Ignition Switch

- 3) **November 29, 2004: No Crack - No Start. Vehicle Towed**
Date of Service: November 29, 2004
Date Vehicle Returned: December 1, 2004
Diagnosis/Repairs: Open Ignition Fuse E. Replace Fuse and check wiring and test drive. NOTE: The Vehicle was driven home by the Technician and returned back to the Dealership.

- 4) **January 22, 2005: No Crack - No Start. Vehicle Towed**
Date of Service: January 23, 2005
Diagnosis/Repairs: Unknown at this time.

As clearly shown above, I have had serious problems with this vehicle. It has jeopardizes the health, safety and welfare of me and my family. I have lost time at work because of being stranded for several hours and having the vehicle towed.

I first put GMC on notice about the vehicle in October, 2004 after the first breakdown. My point of contact person was David Knowling. Each time that the vehicle has broken down, I have contacted Mr. Knowling. On November 29, 2004, I verbal requested that GMC replace the vehicle or trade it out. However, that request was denied and I was informed in writing from GMC, on or about the 1st of January, 2005, that they would not replace or purchase back the vehicle. The letter indicated that I had a write to file a complaint and request mediation on the matter.

Now that the vehicle has broken down for the **FOURTH** time with the same **CAUSE "no crack - no start"**, I am again requesting, **NOW IN WRITING** that the GMC replace or buy back this vehicle. Please be advised that if I do not get satisfaction on this matter, I shall be forced to take further legal proceedings under the Texas Lemon Law pursuant to Revised Texas Statutes, Annotated Article 4413(36) Section 6.07.

Please be further advised that effective 14 days from the receipt of this letter to **GMAC - Lienholder**, I will stop all automatic monthly payments on this vehicle. If you have any questions regarding this letter or request any supporting documentation, please do not hesitate to contact me at (832) 492-5088.

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Sincerely,

Wanda F. Johnson
Disappointed GMC Customer

cc: Administrator
National Highway Traffic Safety Administration
400 Seventh Street, SW
Washington, D.C. 20590

GMAC - Lienholder
P. O. Box 8104
Cockeysville, MD 21030

Texas Motor Vehicle Commission
P. O. Box 2293
Austin, Texas 78768

Pontiac - GMC Division
General Motors Corporation
P. O. Box 33170
Detroit, Michigan 48232-5170